

**Gary R. Herbert**  
Governor of the State of Utah

Testimony on “HOUSE COMMITTEE ON NATURAL RESOURCES”  
March 1, 2011

**“The Impact of the Administration’s Wilds Land Order on  
Jobs and Economic Growth”**

Thank you Mr. Chairman for holding this hearing.

Thank you for inviting me and Governor Otter to speak today – to share with you and members of this committee our concerns about a bureaucratically-established policy that dramatically impact our way of life in the West .. and is detrimental to our entire nation.

I express my appreciation to you for listening to us first before taking any congressional action. We recognize that the relationship between the states and the federal government is a partnership. Our Founding Fathers never meant it to be a top down, one-size-fits-all system of government. That is what the Tenth Amendment is all about.

But unfortunately, we are here today because the partnership between the states and federal government was recently ignored by an action of the United States Department of the Interior.

This decision cavalierly casts aside an agreement that was entered into more than a decade ago between the Governor of the State of Utah and the Secretary of the U.S. Department of the Interior.

That agreement was reached in order to avoid litigation and to provide certainty for those who rely on consistent, clear management policies for BLM lands. Instead, this new Order will likely lead to renewed litigation while slamming the door shut on citizens and communities that are simply seeking certainty in the public lands management process.

We urge you ... as our representatives and as our partners .... to undue the damage that is being done by Secretarial Order 3310 and help re-establish and reaffirm a congressionally-established process, that though often time consuming, established clarity and certainty when it came to resolving management issues on our public lands.

We call upon you to help us right a very real and very damaging wrong.

Mr. Chairman, this Secretarial Order has undone years of collaborative and costly work between county officials, environmental organizations, natural resource industries,

citizens and our local Bureau of Land Management offices as they have worked together to craft BLM Resource Management Plans.

It changed the rules right at the end of the game, the results of which are having a profoundly negative impact on public lands protection and natural resource development in Utah.

It is harming numerous rural communities throughout Utah whose economies rely on sound and consistent public lands management practices.

Due to this order, the economy in places like Roosevelt, Vernal, Price, Kanab, Castle Dale, Blanding, and Panquitch is going to be harmed.

That impacts people ... real people like Chad Mead from Ferron who drives a coal truck to support his family, or Kevin Dunn, who makes his living as a plumbing and heating contractor in Carbon County, or Natalie Perkins, a teacher in Garfield County whose salary is derived from the income tax generated by people who work the land.

We're being told by oil and gas exploration companies that, due to regulatory uncertainty, they'll likely be curbing their activities in Utah. They are telling us that they will not invest the time and capital necessary to prepare new bids on new exploration, until the regulatory situation is steadied.

The lack of this new investment means not only a loss of jobs for Utah residents but also the loss of natural resources that only increases our nation's dependence on fuel from foreign, often hostile countries. Have you checked the price of a gallon of gas lately? This Secretarial Order isn't going to help out one bit at the pump.

The continual re-inventorying of federal lands as required by Secretarial Order 3310 is wasteful and wrong. It is justifiable only by politics ... not by policy.

This Order also directly impacts our school children.

Like most other western states, Utah was granted land at statehood for the financial support of K-12 public education and other state institutions. Utah owns 3.3 million acres of state trust lands, mostly in the form of "checkerboard" parcels located within federal public land managed by the Bureau of Land Management.

Revenue from school trust lands is deposited in the Utah Permanent School Fund, a perpetual endowment supporting K-12 public schools.

Mineral development is the largest single source of revenue from Utah's school trust lands. Hundreds of thousands of acres of trust lands may be captured by the proposed Wild Lands designations. This dramatically impacts future mineral development, especially natural gas.

It is safe to say that the long-term effect of this policy will be the loss of billions of dollars to the Permanent School Fund, and ongoing losses in endowment income for each public and charter school.

This Order hinders rural economic development and hurts key funding sources for Utah's school children. It also hinders our State's ability to develop a long-term, sound energy plan. It hinders the ability of all public lands states to develop their natural resources. And this action serves not to benefit any one group, but to endanger the safety and economic well-being of our entire nation and we are forced to depend upon foreign sources for our fuel.

In closing, this body and your colleagues ought to be as offended as the people of Utah are by this order...

This action usurps the authority of Congress, and for the first time ever, creates a favored category for multiple use management, creates new levels of centralized bureaucratic review, contains vague, inconsistent and overly broad definitions of Wild Lands, and lacks clarity as to what is wilderness and what is subject to multiple use and development.

By bureaucratic fiat, one branch of the government has overstepped and overreached and has devalued the rights of the states and the citizens.

I urge you, on behalf of the people of Utah and for the benefit of the people of our entire nation, to exercise the congressional oversight you have to correct this grave error and return reason and certainly to the management of our public lands.

I thank you for your time and am happy to answer any questions.